



P.B.5818 - Patentlaan 2  
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Generaldirektion 1

Directorate General 1

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Tel.: +31 (0)70 340 45 00

Date

13-09-2006

Reference  
P20894 EP

Application No./Patent No.  
05711866.3 - 2311 PCT/US2005002104

Applicant/Proprietor  
MACK TRUCKS, INC.

#### Communication pursuant to Rules 109 and 110 EPC

##### (1) Amendment of application documents, especially the claims (R. 109 EPC)

The above mentioned international (Euro-PCT) application has entered the European phase, or can do so, once the necessary conditions are fulfilled.

Under Articles 28, 41 PCT, Rules 52, 78 PCT and Rule 86(2) to (4) EPC, the applicant may amend the application documents after receiving the international search report.

**Whether or not he has already done so, he now has a further opportunity to file amended claims or other application documents within a non-extendable time limit of one month after notification of the present communication (R. 109 EPC).**

The claims applicable on expiry of the above time limit, i.e. those filed on entry into the European phase or in response to the present communication, will form the basis for the calculation of any claims fee to be paid (see page 2) and for any supplementary search to be carried out under Article 157(2) EPC (R. 109 EPC).

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**(2) Claims fees under Rule 110 EPC**

If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee shall be payable for the eleventh and each subsequent claim within the period provided for in Rule 107(1) EPC.

- ☐ Based on the application documents currently on file, all necessary claims fees have already been paid (or the documents do not comprise more than 10 claims).
- ☒ All necessary fees will be/have been debited automatically according to the automatic debit order.
- ☐ The claims fees due for the claims ..... to ..... were not paid within the above-mentioned period.

Any non-paid claims fee, either based on the current set of claims or on any amended claims to be filed pursuant to Rule 109 EPC (see page 1), may still be validly paid within a non-extendable period of grace of **one month** after notification of this communication.

If a payment is made for only some of the claims, it must be indicated for which claims it is intended. If a claims fee is not paid in due time, the claim concerned is deemed to be abandoned (R. 110(4) EPC).

If claims fees have already been paid, but on expiry of the above-mentioned time limit there is a new set of claims containing fewer fee-incurring claims than previously, the claims fees in excess of those due under Rule 110(2), 2nd sentence, EPC will be refunded (R. 110(3) EPC).

You are reminded that any supplementary search under Article 157(2) EPC will relate only to the last set of claims applicable on expiry of the above time limit AND will be confined to those fee-incurring claims for which fees have been paid in due time.

**The fee for the eleventh and each subsequent claim is EUR 45,00.**

Receiving Section





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#### Notification of European publication number and Information on the application of Article 67(3) EPC

The provisional protection under Article 67(1) and (2) EPC in the individual contracting states becomes effective only when the conditions referred to in Article 67(3) EPC have been fulfilled (for further details, see information brochure of the European Patent Office "National Law relating to the EPC" and additional information in the Official Journal of the European Patent Office).

Pursuant to Article 158(1) EPC the publication under Article 21 PCT of an international application for which the European Patent Office is a designated Office takes the place of the publication of a European patent application.

The bibliographic data of the above-mentioned Euro-PCT application will be published on 11.10.06 in Section I.1 of the European Patent Bulletin. The European publication number is 1709311.

In all future communications to the European Patent Office, please quote the application number plus Directorate number.

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Reference is made to Form 1200 filed on 17.07.2006 and your request for examination in the Swedish language.

We hereby inform you that since the applicant does not reside nor has a principal place of business within the territory of a Contracting State, he is not entitled to a reduction of the examination fee in accordance with Rule 6(3) and Art. 14(2) EPC.

RECEIVING SECTION  
A. Baltanas



**Registered letter**  
EPO Form 2901 11.93 16.08.06

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